



Minnesota Society of Professional Surveyors

February 11, 2025

Senator Ron Latz
Chair, Judiciary and Public Safety Committee
Minnesota Senate

Re: Concerns and Partial Support for Senate File 59

Dear Senator Latz and Members of the Committee,

On behalf of the Minnesota Society of Professional Surveyors (MSPS), I would like to express our position regarding Senate File 59. While MSPS supports the broader goal of remonumentation and ensuring clarity in boundary determinations, we have significant concerns about the unintended consequences this particular bill may have on land surveyors, property owners, and counties across Minnesota.

One of our primary concerns is that SF 59 creates a new cause of action that could place many routine boundary determinations into the court system, increasing litigation and placing a substantial financial burden on counties. Current statutes, the courts, and the common law system have well-established and effective processes for adjudicating boundary disputes. The introduction of a new cause of action for boundary certification could complicate rather than streamline these matters.

MSPS believes neighborly negotiations and the current common law system remain the best methods for resolving such disputes without creating an excessive litigation burden. Under this bill, professional surveyors would be required to spend significant time in court justifying their survey work, rather than being in the field where their expertise is most needed.

While we recognize the critical importance of remonumentation in preventing future legal disputes, we have concerns regarding the feasibility of completing the process within the three-year timeline outlined in the bill. The reality is that there are not enough licensed surveyors available to meet this demand within that timeframe. Furthermore, the projected cost of completing this work exceeds \$300 million—an amount that far surpasses current budget allocations.

The Public Land Survey System (PLSS) section corners were originally laid between 1850 and 1904 in Minnesota, but without regular maintenance these markers can be lost. Fortunately, we have reliable methods for putting them back in their original and legally-binding locations. The practice of professional land surveying is fundamentally rooted in maintaining the integrity of

original boundary markers, ensuring any adjustments remain within a minimal margin—typically no more than the size of a coffee canister.

For these reasons, MSPS strongly supports the continued funding of the grant program previously established in 381.125, such as the proposal outlined in Senate File 1233, introduced by Senator Ann Johnson Stewart. This legislation would fund the remonumentation effort over 30 years, making the process more organized and sustainable both in terms of available surveyors and financial feasibility. We believe this approach aligns with the long-term needs of Minnesota while also ensuring the integrity and accuracy of our state's land boundaries.

Thank you for your time and consideration. MSPS appreciates the opportunity to share our professional perspective and remains committed to working collaboratively with the legislature to develop sound policies that benefit both property owners and survey professionals.

Sincerely,

A handwritten signature in black ink, appearing to read "Phil Raines", with a stylized, flowing script.

Phil Raines

On behalf of the Minnesota Society of Professional Surveyors